

MEETING MINUTES

DATE: November 14, 2011

PLACE: Department of Business Regulation (DBR)

1511 Pontiac Avenue, Bldg 68-1 Conference Room

Cranston, RI 02920

MEMBERS PRESENT: Chair David R. Prengaman (Present from 1:09 p.m. to 2:58 p.m.); Vice-Chair Barbara Feibelman; Secretary Christian J. Ladds, and Members David L. DeQuattro (Present from 1:35 p.m. – 3:05 p.m.) and John K. Grosvenor (Present at 2:00 p.m. to 3:05 p.m.)

MEMBERS ABSENT: None

OTHERS PRESENT: Dawne Broadfield, Board Executive

OTHERS ABSENT: Louis A. DeQuattro, Jr., Esq., CPA, DBR Deputy Director & Counsel

Brian J. Riggs, DBR, Administrator, Financial Management

CALLED TO ORDER: Chair Prengaman called the meeting to order at 1:09 p.m.

to commence Board business.

A. MINUTES OF THE MEETING OF THE BOARD

(1) Vice-Chair Feibelman moved to approve the open meeting minutes of October 17, 2011 as published. Secretary Ladds seconded. Motion passed, 3-0, three (3) in favor and two (2) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, and

Secretary Christian J. Ladds. Members David L. DeQuattro and John K. Grosvenor were absent from this vote.

(2) Vice-Chair Feibelman moved to approve and seal the executive session meeting minutes of the October 17, 2011 as published. Secretary Ladds seconded. Motion passed, 3-0, three (3) in favor and two (2) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, and Secretary Christian J. Ladds. Members David L. DeQuattro and John K. Grosvenor were absent from this vote.

B. EXECUTIVE SESSION

(1) Secretary Ladds moved to convene into executive session at 1:10 p.m. pursuant to RI General Laws, §42-46-5 (a)(2) for sessions or work sessions pertaining to collective bargaining or litigation and §42-46-5 (a)(4) for investigative proceedings regarding allegations of civil or criminal misconduct. Vice-Chair Feibelman seconded. Motion passed, 3-0, three (3) in favor and two (2) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, and Secretary Christian J. Ladds. Members David L. DeQuattro and John K. Grosvenor were absent from this vote.

(2) Secretary Ladds moved to adjourn from executive session and to reconvene to an open meeting at 1:41 p.m. pursuant to R.I.G.L. §42-46-4. Vice-Chair Feibelman seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Secretary Christian J.

Ladds and Member David L. DeQuattro. Member John K. Grosvenor was absent from this vote.

(3) Secretary Ladds moved to seal the executive session and record the votes taken in executive session pursuant to RI General Laws §42-46-4 and §42-46-5. Vice-Chair Feibelman seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Secretary Christian J. Ladds and Member David L. DeQuattro. Member John K. Grosvenor was absent from this vote.

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(4) Secretary Ladds moved to record the votes taken in executive session in accordance with RI General Laws §42-46-4 as follows: The Board voted to close Item A–Jeffrey A. Fickes, Attorney, Questioning the formation of a firm in order to obtain a Certificate of Authorization (COA); Item E-Cortland Morgan, RI Architect Registration #2256 (2011 Renewal-Disciplinary Action Noted); Item F-Stephen D. Jensen, RI Architect Registration #2959 (2011 Renewal-Disciplinary Action Noted); Item G-Timothy B. Seaman, RI Architect Registration #3184 (2011 Renewal-Disciplinary Action Noted); Item H-Robert M. Stillings, RI Architect Registration #859 (2011 Renewal-Incomplete Application returned for completion-Certificate of Authorization (COA) Acknowledgment Box not checked-Completed Application and \$25 Correction fee due. Application returned completed without the \$25 Correction fee and explanation letter; Item I-Frederick S. Marzec, Jr., RI Architect Registration #2580 (2011 Renewal-Incomplete Application

returned for completion-Certificate of Authorization (COA) Acknowledgment Box not checked-Completed Application and \$25 Correction fee due. Application returned completed without the \$25 Correction fee; and Item J-James J. Moynihan, RI Architect Registration #2373 (2011 Renewal-Requesting Emeritus Status.) Vice-Chair Feibelman seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Secretary Christian J. Ladds and Member David L. DeQuattro. Member John K. Grosvenor was absent from this vote.

(5) Secretary Ladds moved pursuant to RI General Law §42-46-4 that the Board defer disclosure of all votes in executive session until such time as such disclosure would not jeopardize any strategy, negotiation, or investigation undertaken concerning RI General Law §42-46-5(a). Vice-Chair Feibelman seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Secretary Christian J. Ladds and Member David L. DeQuattro. Member John K. Grosvenor was absent from this vote.

(6) In Executive Session closed matters, the vote was three (3) to zero (0) to close 5 matters, and four (4) to zero (0) to close two (2) matters with no (0) recusals.

(7) In Executive Session pending matters, there are three (3) pending

matters, comprised of one (1) investigative matter and two (2) registration matters with no (0) recusals.

C. OLD BUSINESS

(1) New England Conference of Architectural Registration Boards (NECARB)

- 2011 Fall Conference - Rhode Island Board – Hosting State. (October 2011)**

The Rhode Island Board hosted the NECARB 2011 Fall Conference at Hotel Providence located in Providence, RI.

- Chair Prengaman, in his capacity as NECARB Region I Secretary/Treasurer, is now finalizing the budget. He thinks that the cost was less than budgeted due to the cost of the meals.**
- The “Continuing Education” Historic Preservation and Tour hosted by Mr. Sanderson and Mr. Woodward was outstanding and received positive feedback from the attendees.**
- The “burning issue” idea brought to the table from each state generated great discussion during the business meeting.**

(2) General Laws – (Design Competition)

Attorney DeQuattro is working on the “Concept Paper” to submit to the Department of Business Regulation (DBR) Director McGreevy on the Board’s behalf in order to amend its Rhode Island General Laws, Section 5-1-14 Practices Permitted, to incorporate “Design Competition” and “Fishing.”

Member DeQuattro spoke against this change because he feels that it will eliminate business in this State, that is very difficult to do business in right now, and will make it easier for outside firms to do business in the State of Rhode Island. This will be less employment for Rhode Island's local architects. Member DeQuattro inquired if the surrounding states allow this provision. The results showed that four (4) of the six (6) regional states do not allow this. Mrs. Broadfield indicated that Connecticut does not allow the offer to practice and Massachusetts does allow the offer to practice.

Vice-Chair Feibelman indicated that the purpose of this proposed legislation is to not require that the national firm obtain the Certificate of Authorization (COA) before the offer services.

Chair Prengaman indicated that the reason that the proposed legislative changes came up was to allow "fishing" which is to allow individuals to advertise to do work in Rhode Island without having a Rhode Island license and also to allow individuals to enter into "Design Competitions" without being licensed in Rhode Island only with the stipulation that the individual has a National Council of Architectural Registration Boards (NCARB) Certificate proven that the individual has become a licensed architect in another state. With Rhode Island being a "NCARB Direct Registration" State, the Board only accepts NCARB Certificates. NCARB's Model Law allows these two (2) items. A majority of

the states in the United States allow both of these items. These items are being suggested by NCARB, and it brought to the Board because it makes the practice of architecture more consistent from state-to-state. Chair Prengaman indicated that he disagreed entirely with Member DeQuattro's opinion that the Board should be influenced in anyway to protect the business of architects, because that is not at all the purpose of this Board. Vice-Chair Feibleman and Secretary Ladds felt the Board's mission is licensing.

The proposed language was taken by the Board from the NCARB Model Law, smoothed out, prepared and voted on at the last meeting. It was voted to suggest the proposed law changes, to have Attorney DeQuattro present these changes with the Department of Business Regulation (DBR) submission to the legislature.

Member Grosvenor moved to reopen as an agenda item and to reconsider the previous decision. Member DeQuattro seconded. After lengthy discussion, roll call vote taken as follows: Member DeQuattro – yes; Member Grosvenor – yes; Vice-Chair Feibleman – yes; Secretary Ladds – yes; and Chair Prengaman – no. Motion passes four (4) in favor and one (1) opposed by roll call vote taken.

Member Grosvenor moved to accept the language that was prepared and voted on at the last meeting, that it be given to the Board's attorney to be introduced to the legislation for incorporating as the Model Law concept. Secretary Ladds seconded. Discussion

occurred. Member DeQuattro suggested that the Board put it off a month, inquire with the Emeritus Members and find out what the other states are doing. Secretary Ladds thought that he would hate to wait a year because that is what the Board would be doing. The bills have to be submitted as part of the DBR package. Attorney DeQuattro will be presenting all proposed legislation to DBR Director McGreevy by December 8, 2011. Member Grosvenor amended his motion that the proposed legislation be made known to the other New England Conference of Architectural Registration Boards (NECARB) regional states that this Board is pursuing this course and inquire as to whether or not this is something that those states are pursuing. Secretary Ladds seconded the amended motion. Roll call vote taken as follows: Member DeQuattro – no; Vice-Chair Feibelman – yes; Chair Prengaman – yes; Member Grosvenor – yes and Secretary Ladds yes. Motion passes four (4) in favor and one (1) opposed by roll call vote taken.

Member DeQuattro moved that Mrs. Broadfield, Member Board Executive (MBE), e-mail the MBE's in the NECARB regional states and inquire if these states have on their agendas for discussion to adopt the NCARB Model Law to incorporate "Design Competition" and "Fishing" and if not, is it on their radar screen. Secretary Ladds seconded. After discussion, motion passed, 5-0, five (5) in favor and none (0) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Secretary Christian J. Ladds and Members David L. DeQuattro and John K. Grosvenor.

(3) Rules and Regulations – (Review for Updating)

Vice-Chair Feibelman moved to continue pending review of Mrs. Broadfield's first draft. Secretary Ladds seconded. Motion passed, 5-0, five (5) in favor and none (0) absent. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Secretary Christian J. Ladds and Members David L. DeQuattro and John K. Grosvenor.

D. NEW BUSINESS

(1) No new business at this time.

E. National Council of Architectural Registration Boards (NCARB) Information and Updates)-(Review/Take Action)

(1) NCARB Monographs help you get a HEAD! – So noted.

(2) NCARB Member E-Source – At a Glance: Member Board Outreach and BEFA Program – So noted.

(3) NCARB Fast Facts – October 28, 2011 – So noted.

F. APPLICATIONS

1. RECIPROCAL REGISTRATION REQUESTS FROM INDIVIDUALS REGISTERED IN OTHER STATES SEEKING REGISTRATION IN RHODE ISLAND

(A) Member Grosvenor moved to approve the following reciprocal registration requests as submitted with an expiration date of

December 31, 2013. Secretary Ladds seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Vice-Chair Barbara Feibelman, Secretary Christian J. Ladds, Members John K. Grosvenor and David L. DeQuattro. Chair David R. Prengaman was absent from this vote.

(1) CASSIDY, David (3) SEMLING, Gary M.

(2) OJAMAA, Andrew Mart (4) TSOMIDES, Constantine L.

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2. REGISTRATION REINSTATEMENT REQUESTS FROM INDIVIDUALS REQUESTING REINSTATEMENT OF HIS/HER RHODE ISLAND REGISTRATION.

(A) Member Grosvenor moved to approve the reciprocal reinstatement registration request as presented with an expiration date of December 31, 2013. Secretary Ladds seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Vice-Chair Barbara Feibelman, Secretary Christian J. Ladds, Members John K. Grosvenor and David L. DeQuattro. Chair David R. Prengaman was absent from this vote.

(1) SABA, Joan L., #3594

3. INITIAL REGISTRATION REQUESTS FROM INDIVIDUALS WHO HAVE COMPLETED THE REQUIRED EDUCATION, INTERN DEVELOPMENT PROGRAM (IDP) AND THE ARCHITECTURAL REGISTRATION EXAMINATION (ARE) THROUGH THE NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS (NCARB) DIRECT REGISTRATION PROGRAM

(A) No applications at this time.

4. CERTIFICATES OF AUTHORIZATION (COA) APPLICATIONS (See Attached List)

(A) Vice-Chair Feibelman moved to conditionally approve the application for the Certificate of Authorization for the Limited Liability Company for Toshiko Mori Architect PLLC as submitted pending receipt of a “Certificate of Good Standing” issued by the Rhode Island Secretary of State’s Office. Secretary Ladds seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Vice-Chair Barbara Feibelman, Secretary Christian J. Ladds, Members John K. Grosvenor and David L. DeQuattro. Chair David R. Prengaman was absent from this vote.

(B) Vice-Chair Feibelman moved to conditionally approve the applications for the Certificate of Authorization for the Corporations for Rode Architects and Williams Building Diagnostics Inc. as submitted pending receipt of a “Certificate of Good Standing” issued by the Rhode Island Secretary of State’s Office. Secretary Ladds seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Vice-Chair Barbara Feibelman, Secretary Christian J. Ladds, Members John K. Grosvenor and David L. DeQuattro. Chair David R. Prengaman was absent from this vote.

G. ADJOURNMENT

Chair Prengaman announced that the next Board meeting is scheduled for Monday, December 12, 2011, at 1:00 p.m., at the DBR, The John O. Pastore Center, 1511 Pontiac Avenue, Conference Room 68-1, Cranston, RI 02920. Member Grosvenor moved to adjourn the meeting at 3:05 p.m. Secretary Ladds seconded. Motion passed, 4-0, four (4) in favor and one (1) absent. Voting in favor were Vice-Chair Barbara Feibelman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor. Chair David R. Prengaman were absent from this vote.

Respectfully submitted,

Christian J. Ladds, AIA

Secretary

CJL/dmb

• Posted on December 6, 2011 electronically on Secretary of State's Office website. Pursuant to the Open Meetings Law, R.I. Gen. Laws Sec. 42-46-6(b), business not included in this notice may be

considered with the consent of the majority of the members, and/or may convene into Executive (closed) Session pursuant to R.I. Gen. Laws Sec. 42-46-5.

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CERTIFICATE OF AUTHORIZATION (COA) APPLICATIONS

Board Meeting of NOVEMBER 14, 2011

SOLE PROPRIETORSHIPS

LIMITED LIABILITY COMPANIES

TOSHIKO MORI ARCHITECT PLLC \$100. NY APPROVED – 11/14/11

CORPORATIONS

RODE ARCHITECTS \$100. MA APPROVED – 11/14/11

**WILLIAMS BUILDING DIAGNOSTICS INC. \$100. FL APPROVED –
11/14/11**

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